REMARKS

The following is intended as a full and complete response to the Final Office Action mailed on August 24, 2005. Claims 1-24 were examined. The Examiner rejected claims 8-20 and 24 under 35 U.S.C. §102(e) as anticipated by Eck (U.S. Patent No. 6,716,103), claims 1-7 under 35 U.S.C. §103(a) as obvious in view of Eck in combination with Lourette (U.S. Patent No. 5,978,016), and claims 21-23 under 35 U.S.C. §103(a) as obvious in view of Eck in combination with Wakabayashi (U.S. Patent No. 5,097,285).

Rejections under 35 U.S.C. § 102(e) and §103(a)

As argued in response to the previous office action, independent claim 8 recites the limitations of a memory included in a portable electronic device for storing captured images and an image management engine loaded into the memory that implements a plurality of functions for capturing, managing and viewing images when executed by a processor included in the portable electronic device. Again, Eck does not teach or suggest these limitations.

The only parts of Eck that teach anything about capturing and managing digital images pertain to disclosure of the camera cartridge (300). Eck is very clear that all hardware and software related to capturing and managing the digital images resides within the camera cartridge (300). See Eck at col. 24, lines 24-51 and Figure 17. Specifically, in describing the camera cartridge (300), Eck discloses that the camera cartridge (300) includes a game program storage area (345a) and a shot image write/read control program storage area (345b). The shot image write/read control program storage area (345b) stores an image write program that is used "to format convert image data captured by the camera portion (330) and then to write the format-converted image data to the image RAM (357)." Importantly, Eck does not teach that the image data is ever loaded in its entirety to internal RAM (34) of the game machine (10) or the display

RAM (52). The Examiner argues that "it is inherent that the computer saves the images in display memory in order to display the images on the LCD." However, as Figure 17 of Eck indicates, the only image data that can be transmitted to the game machine (10) from the camera cartridge (300) is the format-converted image data. See, e.g., Eck at col. 24, lines 47-52 ("storage area 345b stores an image write program that is usable by format converting processing circuit 356 to format convert image data captured by camera portion 330 and then to write the format-converted image data to image RAM 357"). Format-converted image data is not the same image data as that originally captured by camera portion 330. As is well-known, format-converted image data is typically compressed image data, which makes given that the LCD (16) of the game machine (10) is far smaller than an uncompressed image – meaning that the amount of information that can typically be displayed on LCDs such as LCD (16) is far less than the amount of information in an uncompressed image. The Examiner appears to suggest that the fact that col. 4, lines 50-55 of Eck discloses that the RAM (52) can store an image greater than the image displayed on the LCD (16) means that the uncompressed image is stored in the display RAM (52). However, this is a very vague description and in no way goes as far as the Examiner suggests. LCD (16) very well may be too small to be able to display an entire compressed image, which also would be consistent with the disclosure at col. 4, lines 50-55.

As the foregoing illustrates, Eck does not disclose a memory internal to the portable electronic device that is configured to store images captured by the image capture device, as recited in claim 8. Applicant notes that claim 8 is being amended to make clear that the images captured by the image capture device are the same images that are being stored in the memory of the portable electronic device. This amendment is being make for clarification purposes only and makes claim 8 consistent with independent claims 1 and 19. Since the Examiner's searches should have already covered the relationship between the images captured by the image capture

device and images stored in the memory of the portable electronic device, this amendment does not raise any new issues that need to be searched.

Further, as argued in the last response, there is no specific teaching in Eck that the images in image RAM (357) are ever downloaded to local memory (e.g., memory elements 32 or 54) within the game machine (10). Thus, the game machine (10) may very well be configured such that the CPU core (30) accesses the image data directly from the image RAM (357), as opposed to accessing the image data from local memory. In fact, given the greater storage requirements for image data relative to the other types of data that may be processed by the CPU core (30), such as text or game programs, directly accessing image data from the image RAM (357) is certainly a viable architecture. As is well-know, in such an architecture, instructions would be fetched one at a time or one group at a time and executed. In response, the format-converted image data would be loaded into the display RAM (52) line-by-line or in groups of lines and then transmitted to the LCD (16) for display. With such a process, an entire format-converted image would not necessarily be stored in the display RAM (52) at any given point in time. Only portions of the format converted images would be stored. Thus, without a specific teaching that the images captured by the camera cartridge (300) are stored in memory located within the game machine (10), the Examiner cannot simply conclude that the images are downloaded to local memory in the fashion he suggests as "inherent."

For these additional reasons, Applicants contend that Eck fails to teach or suggest a memory included in a portable electronic device for storing captured images, as recited in claim 8.

The Examiner also argues that Eck discloses an image management engine that is capable of implementing a plurality of functions for capturing images. Again, as set forth above, the only software and hardware disclosed in Eck related to the capture of images are the software

and hardware elements of the camera cartridge 300. There is simply nothing in Eck to suggest that there is any software engine residing in either internal ROM 32, internal RAM 34 or the display RAM 52 of the game machine (10) that has any bearing on how the software and hardware elements of the camera cartridge (300) capture image data. The Examiner points to col. 24, lines 24-26 to support the proposition that such an image management engine resides in the game machine (10). However, this part of Eck states only that the "digital camera cartridge 300 can be used to capture images of other persons and objects and that the images are displayed on display 16." This is a far cry from a specific disclosure that any software running internally to the game machine is involved in capturing the images that are ultimately displayed on the LCD (16) in format-converted form. Thus, for these reasons, Applicants contend that Eck fails to teach or suggest an image management engine that implements a plurality of functions for capturing images, as recited by claim 8.

Since Eck fails to teach or suggest several limitations of claim 8, Eck cannot anticipate or render obvious this claim. Applicants therefore respectfully submit that this claim and claims 9-18, dependent thereon, are in condition for allowance and request that the §102(e) rejection of these claims be withdrawn.

Independent claim 19 recites the limitations of providing a display for viewing images on a portable electronic device and providing a camera for capturing those images. As set forth above, Eck discloses a system where image data is captured by camera cartridge (300), but only format-converted or compressed image data is displayed on the LCD (16). Thus, Eck fails to teach or suggested the limitations recited in claim 19. Claim 20, which claims a memory internal to the portable electronic device for storing one of the images after capture also is not taught or suggested by Eck for these same reasons. For this reason, Eck cannot anticipate claims 19, 20 or

24. Applicants therefore respectfully submit that these claims are in condition for allowance and request that the §102(e) rejection of these claims be withdrawn.

Further, since Wakabayahsi does not cure the deficiencies of Eck discussed above, the combination of Eck and Wakabayashi does not teach or suggest each and every limitation of claims 21-23 and, thus, cannot render these claims obvious. Applicants therefore respectfully submit that claims 21-23 are in condition for allowance and request that the §103(a) rejection of these claims be withdrawn.

Independent claim 1 recites an image management program that is executed on a portable electronic device to capture, control and manage an image and includes the step managing the display of the image on the display screen of the portable electronic device. Again, neither Eck nor Lourette teaches or suggests these limitations.

As set forth above, Eck does not teach or suggest the claimed image management program because there is no disclosure or suggestion of an image management engine running locally on the game machine (10) and stored in either ROM 32, internal RAM 34 or the display RAM 52 of the game machine (10) that has anything to do with how the software and hardware elements of the camera cartridge (300) capture image data. Further, as discussed in previous responses to office actions, Lourette also does not cure the deficiencies of Eck.

As the foregoing illustrates, the combination of Eck and Lourette fails to teach or suggest each and every limitation of claim 1 and therefore cannot render claim 1 obvious. For this reason, Applicants respectfully submit that claim 1 and claims 2-7, dependent thereon, are in condition for allowance and request that the §103(a) rejection of these claims be withdrawn.

In sum, the pending claims recite a very specific architecture for portable system for capturing and displaying images. Eck also discloses a very specific architecture that achieves some of the same capture and display functionalities. However, Applicants respectfully submit

that the two architectures are not the same in some very substantive respects, several of which are set forth above. For this reason, Applicants believe that the claim inventions are patentable over Eck and the other references cited to date by the Examiner.

Conclusion

Based on the above remarks, Applicants believe that they have overcome all of the rejections set forth in the Final Office Action mailed on August 24, 2005 and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,

John C. Carey
Registration No. 51,530
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, Texas 77056-6582
Telephone: (713) 623-4844
Facsimile: (713) 623-4846